

107TH CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mr. BROWNBACK (for himself and Mr. ENZI) introduced the following bill;
which was read twice and referred to the Committee on _____

A BILL

To stimulate the deployment of advanced telecommunications
services in rural areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rural Broadband De-
5 ployment Act of 2001”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) Consumers living in rural areas require ac-
10 cess to advanced telecommunications services in

1 order to be full participants in the American econ-
2 omy.

3 (2) The current rate of deployment of advanced
4 telecommunications services in rural areas is inad-
5 equate and must be accelerated.

6 (3) Certain regulations issued by the Federal
7 Communications Commission make the deployment
8 of advanced telecommunications services cost prohib-
9 itive in rural areas.

10 (b) PURPOSE.—It is the purpose of this Act to stimu-
11 late the deployment of advanced telecommunications serv-
12 ices in rural areas by exempting carriers serving such
13 areas from regulations that make the deployment of such
14 services cost prohibitive.

15 **SEC. 3. PROHIBITION ON REGULATING ADVANCED TELE-**
16 **COMMUNICATIONS SERVICES IN RURAL**
17 **AREAS.**

18 (a) IN GENERAL.—Part 1 of Title II of the Commu-
19 nications Act of 1934 (47 U.S.C. 201 et seq.) is amended
20 by adding at the end the following new section:

21 **“SEC. 232. ADVANCED TELECOMMUNICATIONS SERVICES IN**
22 **RURAL AREAS.**

23 “(a) IN GENERAL.—The provisions of this Act shall
24 not apply to advanced telecommunications service de-
25 ployed by a carrier in a rural area.

1 “(b) RURAL AREA DEFINED.—In this section, the
2 term ‘rural area’ means any place or territory, whether
3 incorporated or unincorporated, that—

4 “(1) is located outside of a Metropolitan Statis-
5 tical Area (as determined by the Office of Manage-
6 ment and Budget); and

7 “(2) has a population of less than 50,000.”.

8 (b) ADVANCED TELECOMMUNICATIONS SERVICE DE-
9 FINED.—Section 3 of that Act (47 U.S.C. 153) is
10 amended—

11 (1) by redesignating paragraphs (1) through
12 (51) as paragraphs (2) through (52), respectively;
13 and

14 (2) by inserting before paragraph (2) the fol-
15 lowing new paragraph (1):

16 “(1) ADVANCED TELECOMMUNICATIONS SERV-
17 ICE.—The term ‘advanced telecommunications serv-
18 ice’ means any service that consists of or includes
19 the offering of a capability to transmit, using a
20 packet-switched or successor technology, information
21 at a rate that is generally not less than 384 kilobits
22 per second in at least one direction. Such term does
23 not include special access service offered through
24 dedicated transport links between a customer’s

- 1 premises and an interexchange carrier's switch or
- 2 point of presence.”.